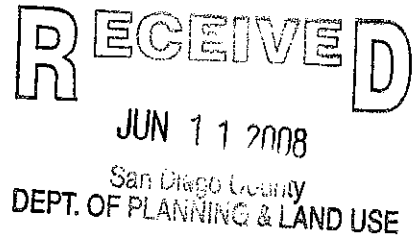


**JAMUL DULZURA
COMMUNITY PLANNING GROUP**

**June 10, 2008 Draft Minutes
(To be approved June 24, 2008)**



1. **Call to Order:** Dan Neirinckx Chair called the meeting to order at 7:33 p.m.
2. **Roll Call:**

Present: Dan Neirinckx, James Talbot, Judy Bohlen, Wythe Davis, Randy White, , Janet Mulder, Dan Kjonsgaard, Martin Muschinske, and Krishna Toolsie
Excused: Janice Grace, Frank Hewitt, Richard Wright and Steve Wragg.
Absent: Linda Ivy, and Earl Katzer
3. **Motion to approve the Minutes for May 27 and Agenda for June 10. Motion passed unanimously.**
4. **OPEN FORUM - Opportunity for public to speak - limit 3 minutes**
 - a. **Janet Mulder will not be at the June 24 meeting and asked Judy Bohlen to take minutes for her. Judy said she might not be here, so we will ask Janice Grace or Linda Ivy. Krishna Toolsie will not be present at the next meeting.**
 - b. **Gene Sullivan** suggested that the Fire Board has made overtures to the Jamul Indian Village and he feels that it is because of the lease being up and suggests that they have no permission for an extension. Concern that we will lose the fire station.
 - c. **Kiwanis Scholarship Fundraiser – June 21 – Terri Lorentz Ranch** – donations for raffle and auction gratefully accepted. Dinner tickets available from **Jim Talbot**
 - d. **August 24 – Indian Hills Camp – Community Picnic – takes the place of July 4th Community Picnic**
5. **Arburg Kennel – Rudnick Road – Dan Neirinckx introduced Shelly Warner who came representing other residents, Joan Kouns, Wendy Collins, and Brenda Baker.** She gave a formal presentation delineating their concerns, which included the saturation of kennels in their neighborhood, the discrepancy between what Jackie Arburg, the owner of record, told the JDCPG in August, 2007 (that her intention was to build her house and not a kennel. She also said that she might want an indoor kennel in the future.) and what is happening. They have been under construction for over a year and yet there have been many dogs brought onto the property. They are concerned regarding the lack of liability for the kennels as he is not required to be insured or bonded. In addition they feel he is taking in problem dogs, including aggressive ones. Mr. Arburg brought 12 dogs onto the property and gave us photographs to show they were improperly housed and cared for. They feel the kennel is “a public nuisance in every sense of the legal term as defined by California Penal Code section 370.” They are also concerned by the lack of security. They sent a letter to Supervisor Dianne Jacob with a petition and pictures as well as to Animal Control, the Sheriff and DPLU and Jackie Arburg. The neighbors received responses from the Sheriff and Animal Control who have followed through on some of the complaints.

They asked for support and guidance and a letter sent by JDCPG to Supervisor Jacob. **Dan Neirinckx** said that he sympathized with their concerns regarding noise, and asked **Mrs. Warner** if Zoning and Animal Control had quit "pointing fingers at each other" as she had reported previously. **Shelly** said that they did not seem to want to enforce their ordinances, i.e., section 3114 section 1E states that they require a non-transparent fence, but zoning enforcement only seems to be concerned with setbacks. In their Zoning Manual found on the website, they have certain regulations that they are not enforcing possibly due to being unaware of the existence.

Chad Arburg said he would gladly take the blame for some code regulations with his building of the home and the kennels, due to problems with contractors, and his watching of military personnel's dogs. His application has been submitted and Animal Control will be giving him his permit this week. He has put on bark collars and reduced the noise, and has started to build his kennels more securely. **Dan Neirinckx** pointed out that the A72 zoning with an "O" designator, that exists today may well not be the best zoning for the area as it does allow unlimited numbers of animals. However at this time, that is the zoning, and it may well be it is permitted. We are on record as in favor of having animals on our property, but we need to be aware that there are problems that occur. If the County is not responding to the residents' complaints, we are within our parameters to urge County to do so. **Shelly Warner** stated that in the Zoning Regulations under Kennels – Part 3 e114 kennels Page 4-98, does have additional regulations that may not be included in the Animal Control Regulations. **Marty Muschinske** said he is getting mixed messages and is hearing the residents don't want any kennels, but at the same time, want some say in the construction of kennels. **Shelly Warner and Joan Kouns** both pointed out that they don't want the kennels, but would like some input into the quantity and the enforcement of the existing laws. **Dan Kjongegaard** suggested that they write letters to each of the agencies citing the zoning regulations that are being violated and ask for enforcement of them with copies to Dianne Jacob, and others as appropriate.

Randy White asked Chad Arburg if he indeed is aware of the regulations then why did he choose to violate them? **Chad Arburg** stated that the Animal Services are coming out this week to inspect the facility to see if violates any of the requirements and he expects to have it approved. **Randy White** then asked if he was aware that his kennel violates the regulations and **Chad Arburg** stated that he would comply with the rules. **Randy White** suggested that the neighbors needed to sit down with **Chad Arburg** and work out their differences so that he is aware of all of the regulations.

Judy Bohlen reminded the residents that they did move into A72 and it does allow animals, so do meet with the neighbors in a negotiating mood. **Randy White** volunteered to meet with the residents and Chad Arburg to work out the problems. □

Wythe Davis suggested that it looks like (in the photos) that he is still in construction and will need to talk together to get it settled. **Shelly Warner** reminded us that A72 should not apply in these small lots and **Judy Bohlen** pointed out that the acreage would be larger parcels in GP review. **Krishna Toolsie** asked if **Chad Arburg** had seen the letter to Dianne Jacob which alludes to lack of water, dog fights, inadequate housing, and asked if the letter was accurate and then asked Shelly Warner to give Chad a copy. **Martin Muschinske** suggested that it is beyond the scope of this body to address the issues. **Jim Talbot** suggested it boiled down to the need to follow the regulations of two agencies, and that our job is to go to the agencies and make sure they are following the regulations. No action was taken.

6. **Jamul Indian Village Casino Status Report – nothing to report.**

7. **AD08-023 1849 Mother Grundy Truck Trail – Hackney – Oversized Building – Martin Muschinske** – he has had difficulty getting hold of the applicant. **Dan Neirinckx** suggested that their website suggests that they are planning to do a horse-breeding operation, and might need a permit and want to apply for it first. **Martin Muschinske** said he felt it was a replacement of a building that was burned in the fire. **Mike Sandvig, resident of Mother Grundy Truck Trail** pointed out that this was a larger building than the one that they were planning to replace: larger than the one that was burned. He met with the Hackneys and their plan shows that it will have 11 stalls, but could be expanded and the building is upwind from them as neighbors as well as there is a catch pond in line with their well. They met with the neighbor. **Karen Rege**, representing the **Hackneys**, said she would take all of the information to them. They had a double car garage and an outbuilding and the new building would encompass the same amount of space as the three buildings that were burned. **Dan Kjonsgaard** asked about the fact that there were in-kind replacements of buildings due to fire, but if they are combining the size of the three buildings, they will have to go through the whole planning process. His opinion is that there are problems with the catch pond and that any horses not owned by the property owner that are brought onto the property can be limited in number and must go through the permit process. **Marlin Rege** said that the Hackneys are looking at the process and are going through the County to follow the regulations. **Mike Sandvig** pointed out that the size of the building could contain many more horses than the original one. This will be put back on the agenda for next meeting.

7. **Letter from Theresa <McKenna regarding access/egress roadway – Fowler Canyon – Linda Ivy – asked to be postponed until next meeting.**

8. **GPA08-001 – Covered in last meeting.**

9. **JDCPG Officer's Announcements and Reports**

- a. **Otay Water District – Daniel Kay Update on Pump Station at Lyons Valley Road and Peg leg Mine Road.**
- b. **Traffic Advisory Committee – new Chair, Kenton Jones, here at next meeting to brief us.**
- c. **TPM 2108 RPL1 – Maxfield/ Proctor Valley – Joshua Allen – Wythe Davis to review and report**
- d. **P08-009 Jamul Water Tank ATT Cell Site – Bear Mountain – Judy Bohlen**
- e. **Traffic Advisory Meeting – June 20 – nothing in our Planning Area**
- f. **P05-016 – Sycamore Canyon – Sprint Nextel – Linda Ivy**
- g. **SD Planning Commission Agenda – June 13 - nothing in our Planning Area**
- h. **Historic Site Board – June 16 - Eric Grant**
- i. **Bicycle Transportation Plan Update – Krishna Toolsie will review**
- j. **Form 700 needs to be turned in to the County. Judy Bohlen received hers**
- k. **TPM21098 – Kinz – Proctor Valley Road -**

ADJOURNMENT:

Dan Neirinckx adjourned the meeting at 9:00 p.m. reminding us that the next regular meeting is Tuesday, June 24, 2008 at Oak Grove Middle School Library.

**Respectfully submitted,
Janet Mulder, Secretary**